

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CHARLES BELL, JR.,

Petitioner,

v.

KENNETH QUINN,

Respondent.

Case No. C07-5598FDB-KLS

ORDER FINDING REPORT AND  
RECOMMENDATION TO BE  
MOOT and REFERRING THIS  
CASE TO MAGISTRATE JUDGE

The Magistrate Judge issued a Report and Recommendation that given the prisoner's average spendable balance in his trust account, it is not unreasonable to require him to pay the \$5.00 filing fee. Petitioner paid the filing fee on December 27, 2007 [Dkt. Entry # 5].

The Court, having reviewed the Report and Recommendation, petitioner's application to proceed *in forma pauperis* and the remaining record, hereby finds and ORDERS:

- (1) The Magistrate Judge's report and recommendation is found to be MOOT, Petitioner having paid the filing fee;
- (2) This matter is again referred to Magistrate Judge Strombom.
- (3) the Clerk is directed to send copies of this Order to petitioner and any other party that has appeared in this action and to Magistrate Judge Strombom.

DATED this 7<sup>th</sup> day of January 2008.



FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE